



Order Filed on September 2, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

DISTRICT OF NEW JERSEY
UNITED STATES BANKRUPTCY COURT

Caption in Compliance with D.N.J. LBR 9004-2(c)

SCHILLER, KNAPP, LEFKOWITZ
& HERTZEL LLP
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Lincroft, New Jersey 07738
(518) 786-9069
Richard Gerbino, Esq. (ID #057351993)
Attorneys for Creditor TD Bank, N.A.

In Re:

Robert Elliott Shanley, III,

Debtor.

Case No.: 18-26126-mbk

Hearing Date: 8/25/2021 @ 10:00 a.m.

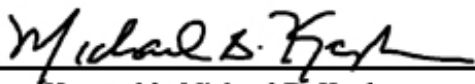
Judge: Hon. Michael B. Kaplan

Chapter: 13

**CONSENT ORDER RESOLVING MOTION FOR RELIEF
FROM AUTOMATIC STAY AND
CO DEBTOR STAY**

The relief set forth on the following page, numbered two (2) is hereby
ORDERED.

DATED: September 2, 2021


Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Robert Elliott Shanley, III

Case No.: 18-26126-MBK

Caption of Order: **Consent Order Resolving Motion for Relief from Automatic Stay and Co Debtor Stay**

WHEREAS, TD Bank, N.A. (hereinafter "creditor") moved for an Order, pursuant to 11 U.S.C. Section 362(d)(1) and 1301(c), authorizing relief from automatic stay and co-debtor stay, herein; and

WHEREAS, the parties have agreed to resolve the instant dispute by this Consent Order;

NOW THEREFORE, the creditor and debtor hereby agree as follows:

1. That the debtor shall cure post-petition default in the amount of \$20,820.45 by making one (1) payment in the amount of \$20,820.45 to the creditor on or before September 30, 2021.

2. That the debtor shall continue to make the regular monthly payments pursuant to the terms of the Note and Mortgage in a timely fashion commencing with the payment due on or before September 1, 2021.

2. In the event debtor fails to make any payment called for in this Consent Order within thirty (30) days of the due date, creditor may submit a certification of default and a proposed Order for Relief from Automatic Stay and Co Debtor Stay to the Court and serve a copy of such certification of default upon the debtor and counsel for debtor. Fourteen (14) days after receipt of a certification of default, the Court will enter an Order granting the creditor relief from the automatic stay and co debtor stay unless the debtor has filed an objection to the

certification of default specifying reasons for the objection; in which case the Court will set a hearing on the objection.

3. The debtor shall reimburse the creditor through the Chapter 13 Plan for its attorneys' fees in the amount of \$350.00 and costs of \$188.00 for bringing the motion for relief from the automatic stay and co debtor stay.

/s/ Richard Gerbino

Richard Gerbino, Esq.

Attorney for TD Bank, N.A.

Schiller, Knapp, Lefkowitz & Hertzell, LLP

716 Newman Springs Road, Suite 372

Lincroft, New Jersey 07738

Dated: August 20, 2021

/s/ Joseph Casello

Joseph Casello, Esq.

Attorney for Debtor

Collins, Vella & Casello

2317 Route 34 South, Suite 1A

Manasquan, New Jersey 08736

Dated: August 19, 2021

In re:
Robert Elliott Shanley, III
Debtor

Case No. 18-26126-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Sep 03, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 05, 2021:

Recip ID	Recipient Name and Address
db	+ Robert Elliott Shanley, III, PO Box 641, Navesink, NJ 07752-0641

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Sep 05, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on September 3, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Aleisha Candace Jennings	on behalf of Creditor U.S. Bank National Association ajennings@raslg.com
Denise E. Carlon	on behalf of Creditor M&T BANK dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Harold N. Kaplan	on behalf of Creditor US Bank National Association hkaplan@rasnj.com informationathnk@aol.com
J. Alex Kress	on behalf of Creditor ISE Farms Inc. Alex.Kress@wilsonelser.com
J. Alex Kress	on behalf of Creditor ISE America Inc. Alex.Kress@wilsonelser.com

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Sep 03, 2021

Form ID: pdf903

Total Noticed: 1

Joseph Casello

on behalf of Debtor Robert Elliott Shanley III jcasello@cvclaw.net, jcasello627@gmail.com

Joseph Gunnar Devine, Jr

on behalf of Creditor TD Bank N.A. jdevine@tmppllc.com, kcollins@schillerknapp.com;lgadomski@schillerknapp.com

Rebecca Ann Solarz

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tshariff@schillerknapp.com;kcollins@schillerknapp.com;ahight@schillerknapp.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 12